

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOHN CUTTS,)
)
Plaintiff,)
)
v.) No. 4:06-CV-41 CAS
)
JANIS BERRY and PHILLIP JONES,)
)
Defendants.)

ORDER OF DISMISSAL

In accordance with the memorandum and order of this date and incorporated herein,

IT IS HEREBY ORDERED that plaintiff's claims for monetary relief against defendant Janis Berry are **DISMISSED** based on Eleventh Amendment immunity.

IT IS FURTHER ORDERED that plaintiff's remaining claims against the defendants are **DISMISSED** for failure to state a claim upon which relief can be granted.


CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 19th day of October, 2006.